

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MARCELLA DANIELS,)	
)	
Plaintiff,)	
)	
v.)	No. 10 C 1806
)	
FREEDMAN ANSELMO LINDBERG &)	
RAPPE LLC, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Marcella Daniels ("Daniels") has submitted a pro se Complaint against a number of defendants, invoking the Fair Debt Collection Practices Act and the Fair Credit Reporting Act as the basis for federal jurisdiction. Daniels has accompanied her self-prepared Complaint with two forms provided by this District Court's Clerk's Office: an In Forma Pauperis Application ("Application") and a Motion for Appointment of Counsel ("Motion"). This memorandum order addresses both of those additional documents as a threshold matter.

As for the Application, it reflects that Daniels and her husband earn more than \$4,000 a month (Daniels reports herself as self-employed, apparently doing business as Daniels & Daniels Transportation, Inc., while her husband is listed as employed by the City of Chicago). That being the case, this Court finds Daniels is not an appropriate candidate for in forma pauperis treatment, rather than her taking whatever steps are necessary to accumulate funds to pay the \$350 filing fee.

As for the Motion, it lacks what our Court of Appeals teaches is an essential component of such a request: a showing of a plaintiff's efforts to obtain counsel on his or her own. Daniels has not discharged her responsibility by leaving that portion of the Motion blank and by stating "I have been unable to find an attorney because [the printed portion of the Motion] can't afford it [Daniels' handprinted continuation of the sentence]."

Accordingly both the Application and the Motion are denied. Unless Daniels pays the filing fee on or before April 29, 2010, the Complaint and this action will be dismissed without prejudice. If Daniels does pay the filing fee and completes the Motion form appropriately, this Court would be prepared to reconsider that request.¹



Milton I. Shadur
Senior United States District Judge

Date: March 29, 2010

¹ It should of course be understood that nothing said here constitutes an expression of views as to the substantive viability of Daniels' claims.